

LAW OFFICES  
**MARKOWITZ & RICHMAN**  
1100 NORTH AMERICAN BUILDING  
121 SOUTH BROAD STREET  
PHILADELPHIA, PENNSYLVANIA 19107

(215) 875-3100  
TELECOPIER (215) 790-0668  
DIRECT DIAL

ALLENTOWN OFFICE  
SUITE 200 COMMONWEALTH BLDG.  
512 HAMILTON STREET  
ALLENTOWN, PA 18101-1505  
(610) 820-9531

NEW JERSEY OFFICE  
24 WILKINS AVENUE  
HADDONFIELD, NJ 08033  
(856) 816-2930

NEW YORK OFFICE  
660 THIRD AVENUE  
NINTH FLOOR  
NEW YORK, NY 10022  
(212) 752-6781

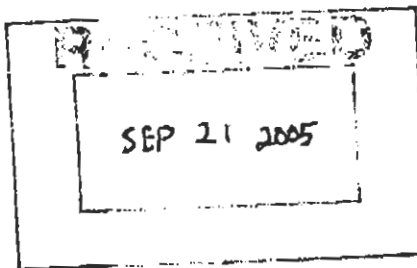
HARRISBURG OFFICE  
27 SOUTH ARLENE STREET  
P.O. BOX 6865  
HARRISBURG, PA 17112-6865  
(717) 541-9475

RICHARD H. MARKOWITZ \*  
STEPHEN C. RICHMAN \*  
PAULA R. MARKOWITZ  
QUINTES D. TAGLIOLI  
JONATHAN WALTERS \*\*  
ANTHONY C. BUSILLO II  
THOMAS H. KOHN \*\*\*  
RUTH SKOGLUND  
R. MATTHEW PETTIGREW, JR. \*\*  
PETER H. DEMKOVITZ +  
CHARLES F. SZYMANSKI +  
NANCY A. WALKER

\* ALSO ADMITTED IN NEW YORK  
AND DISTRICT OF COLUMBIA  
+ ALSO ADMITTED IN NEW JERSEY  
++ ALSO ADMITTED IN DISTRICT OF COLUMBIA  
\*\* ALSO ADMITTED IN NEW JERSEY AND NEW YORK  
\*\*\* ALSO ADMITTED IN VIRGINIA  
AND DISTRICT OF COLUMBIA

215-875-3129  
September 20, 2005

The Honorable Joseph J. Farnan, Jr.  
United States District Court  
District of Delaware  
844 King Street, Lock Box 27  
Wilmington, DE 19801



File No. 3-770-11

Re: **Crowell v. Pace International Union Local 2-0770**  
**C.A. No. 04-259**

Dear Judge Farnan:

In response to Barry Willoughby's letter to you of September 16, 2005, the Union disagrees with the Employer's contention that the Union's Motion for Relief from the Court's judgment in this matter is moot. Although the Union did file a protective grievance, which is now scheduled for arbitration on November 22, 2005, concerning whether Robert Blisard is entitled to remedial relief, that action was taken solely to provide an alternative mechanism to obtain relief in the event that the Court should decline to grant the Union's pending motion.

Contrary to the Employer's contention that the motion is moot, should the Court grant the requested relief, it is the arbitration that would become moot. The Union firmly believes that its motion for relief from the Court is justified; however, should the Court determine that the arbitration takes precedence, Local 770 requests that the Court retain jurisdiction pending the outcome of that arbitration.

Respectfully,

*Thomas H. Kohn*  
THOMAS H. KOHN

THK/sdk  
cc: Barry Willoughby, Esquire  
Carl Jones